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Attorneys for Plaintiff, HSBC Bank USA, National Association, as Trustee for Mortgage Pass-Through Certificates, MLMI Series 2006-A4

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 HSBC BANK USA, NATIONAL
11 ASSOCIATION, AS TRUSTEE FOR
12 MORTGAGE PASS-THROUGH
13 CERTIFICATES, MLMI SERIES 2006-A4, a
Virginia Company

14 Plaintiff,

15 vs.

16 OPERTURE, INC., a Domestic Close
17 Corporation; BRIDGER INVESTMENT, LLC,
18 a Nevada limited-liability company; and
19 SUNSET CLIFFS HOMEOWNERS
20 ASSOCIATION, a Domestic Non-Profit
Company,

21 Defendants.

Case No.: 2:16-cv-02896-RFB-BNW

**STIPULATION AND ORDER TO
EXTEND TIME TO FILE DISMISSAL
DOCUMENTS**

(Third Request)

22 IT IS HEREBY STIPULATED that Plaintiff, HSBC Bank USA, National Association,
23 as Trustee for Mortgage Pass-Through Certificates, MLMI Series 2006-A4 (hereinafter "HSBC
24 Bank"), Defendant Bridger Investment, LLC (hereinafter "Bridger") and Defendant Sunset
25 Cliffs Homeowners Association (hereinafter "Sunset Cliffs") (collectively, the "Parties") by and
26 through their undersigned counsel of record, hereby agree and stipulate as follows:
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1. On July 15, 2019, HSBC Bank filed its Notice of Settlement [ECF No. 37] that the Parties had reached a settlement in this action;
2. On July 16, 2019, this Court issued its Minute Order setting the deadline of August 30, 2019 to file the Stipulation for Dismissal [ECF No. 38];
3. On August 30, 2019, the HSBC Bank filed a Stipulation and Order to Extend Time to File Dismissal Documents [ECF 39];
4. On August 30, 2019, this Court filed the Order extending the deadline to file dismissal documents to October 29, 2019 [ECF 40];
5. On October 29, 2019, the HSBC Bank filed a second Stipulation and Order to Extend Time to File Dismissal Documents [ECF 41];
6. On November 1, 2019, this Court filed the Order extending the deadline to file dismissal documents to December 13, 2019 [ECF 42]
7. The terms of the Settlement Agreement have been negotiated and the Settlement Agreement has been fully executed;
8. Counsel for HSBC Bank has obtained the settlement funds from Sunset Cliffs and Bridger and the funds were forwarded to HSBC Bank on October 29, 2019;
9. Pursuant to the terms of the Settlement Agreement, the settlement funds must be cleared and applied to the loan before a Reconveyance of the Deed of Trust to Bridger may be submitted for recording;
10. Bridger submitted three personal checks in conformance with the terms of the Settlement Agreement;

1 11. Because the Bridger funds were not certified, it is taking slightly longer than
2 expected to apply the funds to the loan;

3 12. Once the funds are applied to the loan, Counsel for HSBC Bank will prepare the
4 Reconveyance of Deed of Trust to expedite resolution of this case;

5 13. The Parties are requesting an additional thirty (30) days to finalize the terms of the
6 settlement, and thus request up to ~~February 12, 2019~~, to file the Stipulation for
7 **February 12, 2020**
8 Dismissal;

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1 14. This is the third request for an extension and is submitted in good faith and not
2 intended to cause any delay to the Court.

3 **IT IS SO STIPULATED.**

4 DATED this 12th day of December, 2019.

DATED this 12th day of December, 2019.

5 WRIGHT, FINLAY & ZAK, LLP

BOYACK ORME & ANTHONY

6 /s/ Lindsay D. Robbins

/s/ Patrick Orme

7 Lindsay D. Robbins, Esq.

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11 *Attorneys for Plaintiff, HSBC Bank*

*Attorneys for Defendant, Sunset Cliffs
Homeowners Association*

12 DATED this 12th day of December, 2019.

13 BROWNSTEIN HYATT FARBER
14 SCHRECK, LLP

15 /s/ Frank M. Flansburg III

16 Frank M. Flansburg III, Esq.

17 Nevada Bar No. 6974

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*Attorneys for Defendant, Bridger Investment,
LLC*

20 Case No.: 2:16-cv-02896-RFB-BNW

21 **ORDER**

22 **IT IS SO ORDERED.**

23 Dated this 12th day of December, 2019.

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25 RICHARD F. BOULWARE, II
26 UNITED STATES DISTRICT JUDGE
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